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Security Council
Fifty-third Year

Provisional

3893rd Meeting
Friday, 19 June 1998, 12.35 p.m.
New York

President:	Mr. Monteiro	(Portugal)
Members:	Bahrain	Mr. Buallay
	Brazil	Mr. Amorim
	China	Mr. Qin Huasun
	Costa Rica	Mr. Sáenz Biolley
	France	Mr. Dejammet
	Gabon	Mr. Essonghé
	Gambia	Mr. Jagne
	Japan	Mr. Konishi
	Kenya	Mr. Mahugu
	Russian Federation	Mr. Lavrov
	Slovenia	Mr. Türk
	Sweden	Mr. Dahlgren
	United Kingdom of Great Britain and Northern Ireland	Mr. Gomersall
	United States of America	Mr. Richardson

Agenda

The situation between Iraq and Kuwait

Letter dated 15 April 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/330)

Letter dated 29 May 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/446)

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The meeting was called to order at 12.35 p.m.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

Letter dated 15 April 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/330)

Letter dated 29 May 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/446)

The President: The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them letters dated 15 April and 29 May 1998 from the Secretary-General addressed to the President of the Security Council, contained in documents S/1998/330 and S/1998/446, respectively.

Members of the Council also have before them document S/1998/537, which contains the text of a draft resolution submitted by Costa Rica, Japan, Portugal, Slovenia, Sweden and the United Kingdom of Great Britain and Northern Ireland.

I should like to draw the attention of the members of the Council to document S/1998/531, which contains the text of a letter dated 18 June 1998 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council.

It is my understanding that the Council is ready to vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first give the floor to those members of the Council who wish to make statements before the voting.

Mr. Qin Huasun (China) (*interpretation from Chinese*): The oil-for-food programme is a temporary measure aimed at mitigating the humanitarian situation in Iraq which cannot substitute for or be used as a means to delay the lifting of sanctions against Iraq.

I wish to take this opportunity to reiterate that, with the progress made in weapons verification in Iraq, the Security Council should make objective assessments, close the various weapons files as soon as possible and lift the sanctions against Iraq.

In accordance with the humanitarian needs of Iraq, Security Council resolution 1153 (1998) increased the amount of humanitarian supplies Iraq could import. In order to enable Iraq to reach the corresponding level of oil-exporting capability, the Secretary-General has recommended that Iraq be allowed to import $300 million worth of equipment and spare parts for oil production.

We believe that a settlement of the question of the Iraqi import of equipment and spare parts for oil production needs only a simple and technical resolution. It is not necessary to involve irrelevant questions. Therefore, we believe that certain elements contained in the draft resolution before us are not necessary. However, considering the needs of Iraq, and in order to enable Iraq to import equipment and spare parts for oil production as soon as possible and improve its oil-producing capability, China will vote in favour of the draft resolution before us.

We hope that Iraq will be able to import equipment and spare parts for oil production as soon as possible.

Mr. Amorim (Brazil): The draft resolution before us is a response to the recommendations made by the Secretary-General in his letter of 15 April 1998. In that document, the Secretary-General emphasizes the need for Iraq to be authorized to import equipment and spare parts that will enable it to sell the quantity of oil necessary to cover the imports of humanitarian supplies in accordance with Security Council resolution 1153 (1998).

We note that the present text appropriately focuses on the arrangements required for approval of the export of spare parts and equipment to Iraq. We hope that the mechanism hereby devised will be applied in such a way so as to allow the smooth implementation of the enhanced programme, whose humanitarian goals we want to see achieved.

Brazil will be guided by this principle in working with other delegations in the Committee established by resolution 661 (1990). In this respect, we want to thank

the sponsors for their flexibility in accepting amendments presented by several delegations, including ours, which made it possible for the Council to come to a consensus on a balanced text that does not create an unnecessarily cumbersome set of procedures.

As the Council considers this matter, it is important to bear in mind that we are dealing with a temporary and exceptional measure adopted with a view to addressing the very serious humanitarian situation in Iraq.

The enhanced distribution plan comes into effect at a moment of more stable and cooperative relations between the United Nations and the Government of Iraq following the Memorandum of Understanding signed by the Secretary-General last February. The spirit of cooperation that guided the adoption of the Memorandum of Understanding remains an essential element for the achievement of the goals we are proposing here.

Brazil will vote in favour of the draft resolution.

Mr. Jagne (Gambia): Let me begin by thanking the sponsors for the great effort that was put into the draft resolution before us and, indeed, for the high degree of flexibility that they have demonstrated throughout, in reaction to various proposals and counter-proposals, to arrive at a consensus.

The early adoption of this draft resolution is a clear indication of our collective endeavour to respond urgently at all times to the humanitarian needs of the people of Iraq.

With the adoption of the draft resolution, the green light is thus given for the purchase of the spare parts that would enable Iraq to pump more oil in sufficient quantities to meet the shortfall in order to arrive at the total sum of $5 billion — $5.256 billion, to be more precise.

The oil-for-food programme, which is designed specifically to alleviate the suffering of the Iraqi people, has, to a large extent, been functioning smoothly and, contrary to growing fears in some quarters, the programme is conceived as a temporary measure.

My delegation is convinced that, with the approval of the distribution plan already submitted by Iraq, the subsequent approval for the purchase of the necessary spare parts and other equipment will go a long way towards improving even further the overall humanitarian situation in Iraq. Furthermore, there is provision for the periodic review of the plan for possible amendment, if and when necessary, in conformity with Council resolution 1153 (1998).

The exemplary cooperation between Iraq and the United Nations on the oil-for-food programme is very healthy, generally speaking. Consequently, my delegation will vote in favour of the draft resolution before us.

Mr. Mahugu (Kenya): Let me first take this opportunity to thank the sponsors for a much-improved text. We welcome the changes that they have made following our informal consultations. As we stated earlier, we were concerned about the connotation of permanence of the oil-for-food programme, which was implied in the earlier draft that we considered. It is our understanding that this is not an issue and that the provisional and temporary nature of the oil-for-food programme is neither in doubt nor being questioned. It has always been and remains our conviction that the programme will — and, indeed, must — come to an end as soon as paragraph 22 of resolution 687 (1991) is implemented.

Our other major concern relating to the mechanism for the approval of contracts for spare parts was not fully addressed. In our view, the procedure spelt out in the draft resolution before us remains cumbersome and might in fact unnecessarily complicate what the Secretary-General intended to be a straightforward procedure to address what he considered to be a severe hindrance to the success of the humanitarian programme.

This notwithstanding, and fully cognizant that there continues to be a humanitarian crisis in Iraq which must be addressed urgently, my delegation will join in the consensus and vote in favour of the draft resolution, in the hope that today's action of the Council will help alleviate the humanitarian situation now prevailing in Iraq.

Mr. Buallay (Bahrain) (*interpretation from Arabic*): First of all, my delegation would like to express its profound appreciation for all the efforts made in preparing and drafting the text of this draft resolution, which culminated in the text before the Council today.

The State of Bahrain has a firm position regarding the humanitarian situation in Iraq and, in this context, it supports all efforts aimed at facilitating the dispatch of humanitarian aid to the Iraqi population, which has suffered immensely under the sanctions regime imposed on Iraq.

My delegation affirms what we discussed in the extensive informal consultations regarding the distribution plan. Our understanding is that the draft resolution to be adopted today would not make the oil-for-food formula a permanent one in the sense that it might suggest that the sanctions would not be lifted against Iraq. Rather, it must be perceived as a programme designed to mitigate the suffering of the Iraqi people as a result of sanctions which we hope will come to an end once the reasons for the sanctions have been removed and through Iraq's fulfilment of its obligations under the relevant Security Council resolutions.

The adoption of the draft resolution follows from the recommendations of the technical team dispatched by the Secretary-General to inspect the viability of the Iraqi oil facilities, which concluded that the output of those facilities would not be commensurate with the quota for humanitarian needs. On that basis the Council saw fit to adopt this draft resolution in order to update those facilities so that the prescribed increase set by the Council can take place, upon the recommendation of the Secretary-General, with the aim of alleviating the suffering of the Iraqi people resulting from the sanctions regime imposed on Iraq.

When the Council approves the increase under the oil-for-food formula in accordance with the provisions of the draft resolution to be adopted today, it follows that realistic and practical means must be made available in order to achieve that increase on the ground. My delegation therefore supports the draft resolution and will vote in favour of it.

Mr. Dejammet (France) (*interpretation from French*): The text before us is the welcome outcome of long and difficult negotiations. It is welcome because the text rules out for good wording that could have proved dangerous. The principles underlying the oil-for-food programme have been respected. The Memorandum of Understanding of May 1996, which serves as a basis for the agreements between the Government of Iraq and the United Nations in this area, has not been unilaterally amended. The new spirit of cooperation between Iraq and the United Nations since the Secretary-General's trip to Baghdad has been strengthened. That is why we will vote in favour of the draft resolution.

The provisions are, of course, temporary, as is the distribution plan and the Memorandum of Understanding itself, which is renewed every six months. The Council recalls its desire for the humanitarian programme to continue, with the agreement of Iraq, until the oil embargo is lifted. That is how we understand the fourth preambular paragraph, which uses the same wording as the preambular parts of resolutions 986 (1995) and 1153 (1998). As for the distribution plan, the compromise arrived at in paragraph 5 preserves the essential elements. On the one hand, it avoids any danger of a gap in the supply of humanitarian goods to Iraq. On the other, if Baghdad so wishes the Iraqis may, next November, before the expiration of resolution 1153 (1998), propose a new distribution plan. If Iraq prefers, it may also simply amend the current distribution plan.

The main objective of the draft resolution, however, was supposed to be to allow Iraq to increase its oil production. As early as February, France, together with others, expressed the wish that the Council would authorize Iraq to import the spare parts that it needed. At the time, this desire was met with reluctance on the part of some. We therefore lost four precious months. This draft resolution will now provide the legal framework deemed indispensable by some Member States. No delay can any longer be justified. The draft resolution unfortunately approves only a mechanism, and not the list of spare parts — still less the contracts. We can only regret that the very specific and precise recommendations of the Secretary-General in this matter have not been followed. The Secretary-General had proposed that the oil overseers — the independent experts — rather than the sanctions Committee, approve the contracts, so as to gain time. However, they will henceforth be submitted to the sanctions Committee. We hope that it will show the necessary sense of responsibility and diligence. In this respect we have every confidence in you, Mr. President, as Chairman of that body.

Given some unfortunate past experiences, however, we have every reason to be vigilant. Further delays of several months after the very sharp drop in crude oil prices would effectively and permanently jeopardize any expansion of the oil-for-food provisions, which were considered reasonable by all members of the Council.

Such an expansion of the programme is necessary. It is necessary if we want to avoid any further deterioration in the humanitarian situation of the Iraqi people. I should like to recall one statistic. As the Secretary-General said in his last report, the nutritional situation of children under the age of five has not improved at all, despite the implementation of the humanitarian programme. One third of Iraqi children are suffering from serious or acute malnutrition, according to

the United Nations Children's Fund and the World Food Programme.

But we must also broaden this programme so as to meet essential needs relating to water quality and to the provision of energy to enable hospitals, bakeries and other facilities to function and to meet the immediate and essential humanitarian needs of the Iraqi people. That is why we must hope that the sanctions Committee will ensure that this increase that has finally been authorized will actually take place. Of course, the humanitarian programme, even when it is enlarged, is only a provisional and temporary palliative measure. Today it is to be hoped that the new relationship established between Iraq and the United Nations, particularly after the mission by the Secretary-General to Baghdad, will be reflected in the swift lifting of the oil embargo once the Special Commission has certified that Iraq has carried out, as it must, its disarmament obligations.

Mr. Richardson (United States of America): The United States is pleased to support the draft resolution now before the Council authorizing the export to Iraq of spare parts and equipment to assist in refurbishing Iraq's oil-export infrastructure.

This action, anticipated in paragraph 12 of resolution 1153 (1998), will enable Iraq to increase its capacity to export oil and is consistent with the recommendations of the Secretary-General regarding the pressing requirements of the United Nations humanitarian programme in Iraq. It is a very important step forward in the Council's efforts to ensure that the genuine humanitarian needs of all Iraq's people are met.

This draft resolution is a non-political, technical draft. Its purpose is to implement the recommendations of the Secretary-General as contained in his report of 1 February, which was explicitly endorsed by the Council in resolution 1153 (1998).

This draft resolution streamlines the process approved under resolutions 986 (1995) and 1153 (1998) by eliminating the expensive and time-consuming requirement to rewrite the distribution plan every six months, thereby preventing future disruptions in the humanitarian programme.

If there are to be new distribution plans — an outcome not precluded by this action today — this draft resolution ensures that there will be no gaps, as we have seen in the past, between Iraqi distribution plans. So there can be no more excuse for delays in future oil sales for humanitarian purposes or in the delivery of food and medicine to the people of Iraq. And it makes it clear that the Council firmly intends to renew the humanitarian programme as long as it is needed.

This is what the Secretary-General has asked for. It is what the Council has already endorsed. We consider this draft resolution a humanitarian victory, and the winners are the people of Iraq.

The President: It is my understanding that the Security Council is ready to proceed to the vote on the draft resolution (S/1998/537) before it. If I hear no objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Bahrain, Brazil, China, Costa Rica, France, Gabon, Gambia, Japan, Kenya, Portugal, Russian Federation, Slovenia, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1175 (1998).

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): The increased pace of United Nations humanitarian operations in Iraq that was set in motion by Security Council resolution 1153 (1998) requires the adoption of urgent measures to rehabilitate the Iraqi oil industry. We proceed from the premise that this work can and must begin in accordance with resolution 1153 (1998) and with the distribution plan approved by the Secretary-General in the framework of the fourth phase.

Nevertheless, we understand the desire of a number of delegations to adopt a separate resolution which regulates the provision of equipment and spare parts to the Iraqi oil industry. During the course of the work on this resolution, we were guided by the fact that it needed to be based on the recommendations of the Secretary-General, as contained in his letter of 15 April 1998, and

to help achieve the goals set forth in Security Council resolution 1153 (1998).

The United Nations humanitarian programme in Iraq is a temporary, necessary measure. The serious humanitarian problems of the Iraqi people can be fully solved by a lifting of the oil embargo, pursuant to paragraph 22 of Security Council resolution 687 (1991), once the Security Council has established that Baghdad has complied with section C of that resolution. We trust that this will take place in the near future.

That is why it is important that resolution 1175 (1998) adopted today does not change the existing approval procedures of the distribution plan, as set forth in the Memorandum of Understanding on procedures for implementing the 1996 humanitarian programme. For each new phase of the operation, if such is necessary, the Iraqi Government submits a draft of a new plan approved by the Secretary-General. This clearly flows from the fourth preambular paragraph and operative paragraph 5 of today's resolution.

Today's resolution is the outcome of difficult negotiations, as a result of which it does not include unacceptable politicized provisions aimed at revising the existing procedures of the humanitarian programme. We have maintained the new spirit of cooperation between Iraq and the United Nations established by the Secretary-General's visit to Baghdad. Nevertheless, like other delegations, we regret that the resolution does not fully take into account the recommendations of the Secretary-General with regard to a procedure for approving contracts for the delivery of spare parts to the Iraqi oil industry. However, we proceed from the premise that the resolution allows once again for this item to be considered in the Committee on sanctions and for an approval procedure of such contracts by oil overseers to be adopted. Those who were most interested in the resolution's being adopted today have the special responsibility of ensuring that the overall mechanism for humanitarian programmes functions effectively and speedily. Although the resolution is not ideal — and in our view constructive work to improve it might have been continued — our delegation, bearing in mind the position of the other members of the Security Council, has joined in the consensus.

Mr. Gomersall (United Kingdom): The United Kingdom has worked hard, along with the other sponsors of this resolution, to bring the Secretary-General's proposal into effect through the proper procedure of a Security Council resolution, and we are glad at the consensus agreed on this text today. The support that this resolution enjoys reflects our common wish to ensure that the objectives of resolution 1153 (1998), which more than doubled the humanitarian programme for the Iraqi people, can be fulfilled.

My delegation would simply make three important points. First, the resolution provides a basis for increased volume and continuous operation of the humanitarian programme for as long as the programme is needed; secondly, it fulfils the wishes of the Secretary-General in his letter dated 15 April 1998 for rapid approval of the contracts necessary to upgrade Iraq's oil export capacity to the necessary extent; and thirdly, the implementation of the programme continues to require the full cooperation of the Government of Iraq, and the consensus which we strove to achieve on this text reflects the clear hope and expectation of the Security Council that Iraq will indeed cooperate fully with the Secretary-General in meeting the objectives of the humanitarian programme as set out in the resolutions of the Council.

The President: The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The Security Council will remain seized of the matter.

The meeting rose at 1.05 p.m.